

REMARKS

An amendment has been made to dependent claim 18 because the phrase "compacted mineral soil" was inadvertently deleted in the Amendment that was made to dependent claim 18 in the Amendment filed August 4, 2004. It is evident to any person skilled in the art that since claim 18 depends upon claim 11, which specifically mentions "a combination of alternating and interacting layers of compacted mineral soil and reinforcement material" that dependent claim 18 should also mention such a combination. Dependent claim 18 refines claim 11 by specifying that the reinforcement material is woven geotextile. However, it was not intended that the reference to "compacted mineral soil" which is also mentioned in independent claim 11, should be omitted.

In paragraph 1 of page 2 of the Office Action mailed September 21, 2004, the Examiner stated that the Specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. In response to this objection, it is submitted that any person skilled in the art of designing reinforced soil arches would recognize without requiring inventive activity from the comments that appear in paragraph [0008] of page 3 of the Specification, and paragraph [0023] which mentions in the penultimate sentence that the footing is temporary, and from viewing Figures 1 and 3, both of which mention temporary footings, that such footings can be readily removed. For instance, any person skilled in the art would have several methods of removing the temporary footings, such as

1. Excavate under the footings to remove them;
2. Place tapered shims between the footings and the archway form during construction so that when construction is complete the shims can be removed and then the footings can be removed; or
3. Jacks can be installed at intervals along the length of the footing and can be used to raise the form a very small amount, sufficient that the footings can be pulled out.

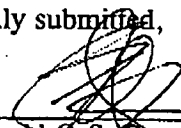
Any of these methods are well known to any person skilled in the art of designing and constructing soil arch constructions.

It is submitted, therefore, that any person skilled in the art would understand what is meant by the reference to removing the parallel temporary footings, which appears as step (e) of amended claim 1, and no inventive activity would be required in order to interpret the scope of this claim. As explained above, the recited steps of removing temporary footings are well

known to any engineer skilled in the art of designing and constructing soil arches.
Accordingly, it is submitted the Specification complies with the requirements of 37 C.F.R.
1.75(d)(1) and that step (e) of amended claim 1, is adequately supported in the Specification.
Consequently, allowance of claims 1-7, 9-14 and 16-18 is respectively requested.

Respectfully submitted,

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